

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
FIRST REGION**

In the Matter of

NSTAR ELECTRIC & GAS
CORPORATION

Employer-Petitioner

and

UNITED STEELWORKERS OF AMERICA,
LOCAL NO. 12004, AFL-CIO, CLC

Union

and

UTILITY WORKERS UNION OF
AMERICA, LOCAL NO. 369, AFL-CIO

Union

Cases 1-UC-815
1- RM-1263

ERRATA

On April 1, 2004, I issued a Decision, Direction of Elections, and Order in the above-entitled matter.

That Decision, Direction of Elections, and Order is hereby corrected as follows:

1. By changing the original caption so that it now appears as a single consolidated caption conforming to the caption of this document.
2. By changing the first word in the statement numbered “3)” in the second paragraph of footnote 1 from “no” to “a,” so that statement 3) now reads: “3) a question affecting commerce exists in Case 1-RM-1263 concerning the representation of certain employees of the Employer-Petitioner within the meaning of Section 9(c)(1) and Section 2(6) and (7) of the Act.”
3. By replacing the second sentence in the fourth paragraph of the Decision with the following sentences: “I find, however, that some of the changes have created a new operation for certain groups of employees, thereby creating a question concerning representation in the RM case and

requiring the dismissal of the UC petition. Accordingly, I will permit those groups of employees to vote whether they wish to be included in the Local 369 or the Local 12004 unit.”

4. By replacing the final paragraph on page 45 of the Decision with the following paragraph:

With respect to the merger of these small groups of employees, I find that new operations have been created.¹ I find further that neither Union represents such an overwhelming majority of the employees in any of these groups that an accretion is warranted.² *Martin Marietta Co.*³ Rather, I find that a question concerning representation exists in the RM case, requiring the dismissal of the UC petition. *National Carloading Corp.*⁴ Accordingly, I shall hold separate elections among each of these groups of Local 12004 and Local 369 employees in order to permit each group to choose whether to be included in the overall Local 12004 or Local 369 unit.⁵

/s/ Roy M. Schoenfeld

Roy M. Schoenfeld, Acting Regional Director
National Labor Relations Board
Region One
Thomas P. O'Neill, Jr. Fed. Bldg.
10 Causeway Street, Sixth Floor
Boston, Massachusetts 02222-1072

Dated at Boston, Massachusetts
this 20th day of April, 2004.

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¹ NSTAR also asserts that Local 12004 and Local 369 employees in the warehouse occupy shared jobs and should be the subject of an accretion or an election. Although the warehouse employees at the newly combined service centers may now have increased contact with physical workers from the other bargaining unit, there is no facility that employs warehouse employees from both bargaining units, and the warehouse workers in each bargaining unit have separate first-line supervisors. In these circumstances, I decline to find that the consolidation of the service centers has created a new operation in the warehouse and distribution organization.

² In fact, in two instances, the gas meter shop and the garage in Southborough, the Local 12004 employees outnumber the Local 369 employees, so that any accretion that occurred would have to be into Local 12004 rather than into Local 369. I note that no party has sought to accrete Local 369 employees into Local 12004.

³ *Supra*, 270 NLRB at 822.

⁴ *Supra*, 167 NLRB at 802

⁵ In the case of the clerks at the Summit, the gas sales clerk and installation clerk will form a voting group.